UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _02 May 2011_.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-25,27 and 28_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-25,27 and 28_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 05/02/11 have been fully considered but they are not persuasive.

In response to applicant's arguments regarding Safadi,

Safadi specifically discloses "identifying a content stream associated with the selected compressed audiovisual data using an identification code" (as the programming is uniquely identified via EPG data codes; paragraph 61), the identification code identifies the content stream as being time shifted content and provides a data stamp associated with the content stream associated with the selected audiovisual data (EPG updates indicating shifting start/end times for the content to adjust the recording; paragraph 61).

Further, Safadi discloses "over-allocating memory in the mass storage device to record the selected compressed audiovisual data having a variable duration extending beyond the set top time" (as memory is allocated to record the content beginning prior to the start time of the event and ending immediately after the completion time of the event, based on the last near-real-time update of the program guide, thus resulting in the recording of a time period longer than the program duration)(p. 6, paragraph 61).

Further, Safadi discloses determining a final length of the compressed audiovisual data (as he determines the actual recorded program length via updated start/stop times, so as to adjust the recording; paragraph 61).

Finally, Safadi discloses deallocating any over-allocated memory not used to record the selected compressed audiovisual data having a variable duration extending beyond the set stop time after the final length of the selected compressed audiovisual data is determined (a short time after recording the event, updated near-real-time data from the programming guide server is used to accurately establish the times that the event started and ended and any portions which were recorded that don't belong to the desired event is deleted from the recording in order to provide a clean recording and in order to free up disk space; paragraph 61).

Additionally, in regards to "title identification codes", Safadi discloses identifying programming via EPG data. Ellis discloses using title codes to identify programming in the EPG (see Ellis at paragraphs 60, 75, 122, 186-188).

Therefore, applicant's arguments are not convincing.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-4, 7-16, 25, 27, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safadi et al. (Safadi) (2001,0051037 A1) (of record) in view of Ellis et al. (Ellis) (US 2003/0149988 A1) (of record).

Referring to claim 1, Safadi discloses a method, comprising:

-    presenting a program guide identifying audiovisual data and designating

a set start time and a set stop time for the identified audiovisual data (p.

6, paragraph 61);

-    receiving at a set-top box audiovisual data from a desired transmission

channel beginning at the set start time (p. 4, paragraph 37 & p. 6,

paragraph 61);

-    if said audiovisual data is not compressed according to a predetermined

format, compressing said received audiovisual data according to said

predetermined format (p. 5, paragraph 51);

-    in response to receiving a request for recording compressed audiovisual

data selected from the program guide prior to the set start time for the

selected compressed audiovisual data identified in the program guide (p.

6, paragraph 61), storing dynamically, in a mass storage device and for a

predefined period of time (until viewed)(p. 7, paragraph 73), the selected

compressed audiovisual data received from said desired transmission

channel to be included in a title plan generated by a time shift scheduler,

wherein said title plan includes information identifying the selected

compressed audiovisual data stored dynamically (programs for

recording) wherein the selected compressed audiovisual data has a

variable duration extending beyond the set stop time (p. 5, paragraph 58

& p. 6, paragraph 61), wherein storing the selected compressed

audiovisual data dynamically at the set top box comprises:

- o identifying a content stream associated with the selected compressed

  audiovisual data using an identification code (identified via EPG data;

  paragraph 61), the identification code identifies the content stream as

  being time shifted content and provides a data stamp associated with

  the content stream associated with the selected audiovisual data

  (future content to be recorded at a set start and stop time; paragraph

  61);

- o over-allocating memory in the mass storage device to record the

  selected compressed audiovisual data having a variable duration

  extending beyond the set top time (memory is allocated to record the

  content beginning prior to the start time of the event and ending

  immediately after the completion time of the event, based on the last

  near-real-time update of the program guide)(p. 6, paragraph 61);

- o determining a final length of the compressed audiovisual data

  (determining the actual recorded program length via updated start/stop

  times; paragraph 61);

- o deallocating any over-allocated memory not used to record the

  selected compressed audiovisual data having a variable duration

  extending beyond the set stop time after the final length of the selected

  compressed audiovisual data is determined (a short time after

  recording the event, updated near-real-time data from the

  programming guide server is used to accurately establish the times

                that the event started and ended and the portion of the event that has

                been recorded after the event has ended is deleted from the recording

                in order to provide a clean recording and in order to free up disk

                space)(p. 6, paragraph 61); and

       o in response to a user request, providing to said user said stored

                compressed audiovisual data beginning with a portion of said stored

                compressed audiovisual data having associated with it a first temporal

                parameter (subsequently viewed by the consumer)(p. 6, paragraph

                61).

While Safadi discloses identifying a content stream associated with the selected

compressed audiovisual data using an identification code (identified via EPG

data; paragraph 61), he fails to explicitly disclose title identification codes.

Ellis discloses an interactive television system that provides users with an

opportunity to select programs for recording (see Abstract). Main program guide

data is provided from program guide data source 14 to interactive program guide

television equipment 17 (p. 3, paragraph 58). The program data includes

program title identifiers and times (p. 3, paragraph 60). Programs are identified

through title codes in response to user record requests (p. 5, paragraphs 60, 75,

122, 186-188). It would have been obvious to one of ordinary skill in the art at

the time that the invention was made to modify the overrun recording system of

Safadi to be utilize title identification codes to identify programming to be

recorded, such as that taught by Ellis so as to use a well-known and established

method of recognizing and identify the desired programming (Ellis p. 1,

paragraph 60, 75, 186-188).

Referring to claims **2**, **3**, Safadi discloses a method comprising:

-        in response to a title plan generated by a time shift scheduler, wherein

         said title plan includes information identifying a plurality of content and

         designating a set start time and a set stop time for each of the identified

         plurality of content (near-real-time program guide data)(p. 6, paragraph

         61), wherein at least one of said plurality of content has a variable

         duration extending beyond the set stop time (p. 5, paragraph 58 & p. 6,

         paragraph 61), in response to receiving a request for recording content

         selected from the title plan prior to the start time of the selected content,

         storing dynamically the selected content and associating with the plurality

         of content a temporal parameter (p. 6, paragraph 61), wherein storing

         dynamically at the set top box comprises:

         o   identifying a content stream associated with the selected compressed

             audiovisual data using an identification code (identified via EPG data;

             paragraph 61), the identification code identifies the content stream as

             being time shifted content and provides a data stamp associated with

             the content stream associated with the selected audiovisual data

             (future content to be recorded at a set start and stop time; paragraph

             61);

- o over-allocating memory in the mass storage device to record the

  selected compressed audiovisual data having a variable duration

  extending beyond the set top time (memory is allocated to record the

  content beginning prior to the start time of the event and ending

  immediately after the completion time of the event, based on the last

  near-real-time update of the program guide)(p. 6, paragraph 61);

- o determining a final length of the compressed audiovisual data

  (determining the actual recorded program length via updated start/stop

  times; paragraph 61);

- o deallocating any over-allocated memory not used to record the

  selected compressed audiovisual data having a variable duration

  extending beyond the set stop time after the final length of the selected

  compressed audiovisual data is determined (a short time after

  recording the event, updated near-real-time data from the

  programming guide server is used to accurately establish the times

  that the event started and ended and the portion of the event that has

  been recorded after the event has ended is deleted from the recording

  in order to provide a clean recording and in order to free up disk

  space)(p. 6, paragraph 61); and

- o forwarding the selected content in accordance with said temporal

  parameter to a requesting subscriber (p. 6, paragraph 61); and

     ○ in response to a subscriber request for temporally shifted content

associated with the selected content, forwarding the stored selected

content to said requesting subscriber (subsequently viewed by the

consumer)(p. 6, paragraph 61).

Safadi does not specifically disclose that the content is received and stored by a

server and provided over a transport network to subscribers, where only the received

plurality of content presently requested by any subscriber is forwarded to the transport

network and title identification codes. Ellis discloses an interactive television system

that provides users with an opportunity to select programs for recording on a remote

media server (see Abstract). Main program guide data is provided from program guide

data source 14 to interactive program guide television equipment 17 (p. 3, paragraph

58). The program data includes program identifiers and times (p. 3, paragraph 60).

Programs are identified through title codes in response to user record requests (p. 5,

paragraphs 60, 75, 122, 186-188). The interactive program guide television equipment

17 has a remote media server (Fig. 2a). Programs are stored on remote media server

in response to user record requests (p. 5, paragraphs 74, 76). Recorded programs are

then received and transmitted to subscribers in response to subscriber retrieval

requests (p. 7, paragraph 91). It would have been obvious to one of ordinary skill in the

art at the time that the invention was made to modify the overrun recording system of

Safadi to be implemented on a remote media server, such as that taught by Ellis in

order to provide greater storage space (Ellis p. 1, paragraph 5).

Referring to claim **4**, the combination of Safadi and Ellis teaches the method of claim 2. The combination of Safadi and Ellis does not specifically teach storing, in said server, the plurality of content presently requested by a threshold number of subscribers. Ellis discloses a consolidator 115 on the remote media server that consolidates multiple record requests for the same programs and places group record jobs on a job queue 120 (p. 6, paragraph 85). Ellis further discloses only recording a program if a certain number of users have requested it (p. 6, paragraph 86). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the combination of Safadi and Ellis to include only recording programs requested by a certain number of users, such as that taught by Ellis in order to save storage space.

Referring to claim **7**, the combination of Safadi and Ellis teaches the method of claim 2, wherein said storing of said desired plurality of content comprises storing a version of the desired plurality of content to generate a play track (content is played on subsequent access by user)(Safadi p. 7, paragraph 78).

Referring to claim **8**, the combination of Safadi and Ellis teaches the method of claim 2, further comprising, storing selected plurality of content during a predetermined time interval of a broadcast schedule (Safadi p. 6, paragraph 61).

Referring to claim **9**, the combination of Safadi and Ellis teaches the method of claim 2, wherein said subscriber request for temporally shifted content is initiated by receiving a subscriber title selection from a time shift interactive programming guide screen (Safadi p. 6, paragraph 61).

Referring to claim **10**, the combination of Safadi and Ellis teaches the method of claim 2, wherein said subscriber request for temporally shifted content is initiated by receiving a subscriber title selection from a time shift navigation screen (Safadi p. 6, paragraph 61).

Referring to claim **11**, the combination of Safadi and Ellis teaches the method of claim 2. The combination of Safadi and Ellis does not specifically teach that the subscriber request for temporally shifted content is initiated by receiving a pause or rewind subscriber selection while broadcasting of said desired plurality of content. Ellis discloses providing VCR-like control of content stored at the remote media server, so that content can be provided in response to rewind and pause requests (p. 19, paragraphs 199, 200). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify transmission of content in the combination of Safadi and Ellis to provide content in response to a rewind or pause request, such as that taught by Ellis in order to provide greater user-control over when to view content.

Referring to claims **12-14**, **25**, **27**, and **28**, Safadi discloses a method/system for

providing video information in an interactive information distribution system to a plurality

of subscribers, comprising:

-        receiving a plurality of scheduled broadcast programs at the set top box

         on a desired transmission channel in real-time (p. 4, paragraph 37);

-        selecting a portion of said broadcast programs according to a title plan

         generated by a time shift scheduler, wherein said title plan includes

         information identifying a plurality of content and designating a set start

         time and a set stop time for each of the identified plurality of content,

         wherein at least one of said plurality of content has a variable duration

         extending beyond the set stop time (p. 6, paragraph 61);

-        processing said selected broadcast programs into temporally adjusted

         content, such that the temporally adjusted content is associated with said

         selected broadcast programs (recorded for subsequent viewing)(p. 6,

         paragraph 61);

-        in response to receiving a request for recording content selected from the

         title plan prior to the start time for the selected content having a variable

         duration, storing dynamically said selected content associated with a

         program and having a variable duration extending beyond the set stop

         time for later access by subscribers (p. 6, paragraph 61), wherein storing

         dynamically at the set top box said selected content having a variable

duration extending beyond the set stop time for later access by

subscribers comprises:

- o identifying a content stream associated with the selected compressed

  audiovisual data using an identification code (identified via EPG data;

  paragraph 61), the identification code identifies the content stream as

  being time shifted content and provides a data stamp associated with

  the content stream associated with the selected audiovisual data

  (future content to be recorded at a set start and stop time; paragraph

  61);

- o over-allocating memory in the mass storage device to record the

  selected compressed audiovisual data having a variable duration

  extending beyond the set top time (memory is allocated to record the

  content beginning prior to the start time of the event and ending

  immediately after the completion time of the event, based on the last

  near-real-time update of the program guide)(p. 6, paragraph 61);

- o determining a final length of the compressed audiovisual data

  (determining the actual recorded program length via updated start/stop

  times; paragraph 61);

- o deallocating any over-allocated memory not used to record the

  selected compressed audiovisual data having a variable duration

  extending beyond the set stop time after the final length of the selected

  compressed audiovisual data is determined (a short time after

recording the event, updated near-real-time data from the

programming guide server is used to accurately establish the times

that the event started and ended and the portion of the event that has

been recorded after the event has ended is deleted from the recording

in order to provide a clean recording and in order to free up disk

space)(p. 6, paragraph 61); and

o   transmitting said selected content to a subscriber (p. 6, paragraph 61).

Safadi does not specifically disclose broadcasting the selected content to a

plurality of subscribers via a desired transmission channel and a title identification code.

Ellis discloses an interactive television system that provides users with an opportunity to

select programs for recording on a remote media server (see Abstract). Main program

guide data is provided from program guide data source 14 to interactive program guide

television equipment 17 (p. 3, paragraph 58). The program data includes program

identifiers and times (p. 3, paragraph 60). The interactive program guide television

equipment 17 has a remote media server (Fig. 2a). Programs are identified through title

codes in response to user record requests (p. 5, paragraphs 60, 75, 122, 186-188).

Programs are stored on remote media server in response to user record requests (p. 5,

paragraphs 74, 76). Recorded programs are then received and transmitted to

subscribers in response to subscriber retrieval requests (p. 7, paragraph 91). It would

have been obvious to one of ordinary skill in the art at the time that the invention was

made to modify the overrun recording system of Safadi to be implemented on a remote

media server, such as that taught by Ellis in order to provide greater storage space
(Ellis p. 1, paragraph 5).

The combination of Safadi and Ellis does not specifically teach, in a first mode of
operation, associating a temporal parameter to said selected content having a variable
duration extending beyond the set stop time and streaming, on-demand, said selected
content having the variable duration extending beyond the set stop time and said
temporal parameter to those subscribers viewing said selected content, such that said
subscribers may interactively such selected content having a variable duration
extending beyond the set stop time contemporaneously with currently broadcast
programs, wherein the first mode of operation further comprises providing an interactive
program guide (IPG) to said subscribers having screens presenting and selected
content having temporally adjusted content for viewing and selection. The combination
of Safadi and Ellis further does not specifically teach providing a navigator list to said
subscribers having screens presenting said selected content for viewing and selection,
wherein in an alternate mode of operation, streaming, on-demand, said selected content
via said navigator list, such that said subscribers may interactively activate such
selected content during viewership of previously scheduled broadcast programs
selected from said navigator list, wherein said subscribers may interactively switch
between said first mode and said alternate mode of operation. Ellis further discloses a
mode of caching currently broadcast programs and allowing users to perform VCR-like
commands, such as fast-forward, pause, or rewind, to move from the currently
broadcast program into the cached version of the program. Ellis still further discloses a

mode of allowing users to access a list of programs that have already been recorded on

remote media server 24 and selecting programs from the list for viewing (p. 13,

paragraph 145 & Fig. 18a). It would have been obvious to one of ordinary skill in the art

at the time that the invention was made to modify the remote media storing in the

combination of Safadi and Ellis to include allowing users to rewind a currently broadcast

program or access a list of programs that were previously broadcast and recorded, such

as that taught by Ellis in order to provide greater user-control over when to view content.

Referring to claim **15**, the combination of Safadi and Ellis teaches the method of

claim 12. The combination of Safadi and Ellis does not specifically teach that the

selecting step comprises:

- monitoring subscriber viewership; and

- selecting those broadcast programs having a viewership exceeding a predetermined metric.

Ellis discloses monitoring users who have selected a program for recording and

selected programs of a certain popularity (p. 6, paragraphs 85-87). It would have been

obvious to one of ordinary skill in the art at the time that the invention was made to

modify the combination of Safadi and Ellis to include only recording popular programs,

such as that taught by Ellis in order to save storage space.

Referring to claim **16**, the combination of Safadi and Ellis teaches the method of

claim 12, wherein said selecting step further comprises:

- generating title plans for identifying content to be temporally adjusted

  (Safadi p. 6, paragraph 61); and

- defining a temporal availability window for each program (p. 6, paragraph

  61).

4.   Claims **5**, **6**, **17-21** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Safadi and Ellis, and further in view of Moeller et al. (Moeller) (5,903,264) (of

record).

        Referring to claims **5** and **6**, the combination of Safadi and Ellis teaches the

method of claim 2. The combination of Safadi and Ellis does not specifically teach that

the storing of the desired plurality of content comprises storing a temporally sub-

sampled version of the desired plurality of content to generate a fast-forward track. The

combination of Safadi and Ellis further does not specifically teach that the storing of said

desired plurality of content comprises storing a temporally sub-sampled version of the

desired plurality of content in reverse order in order to generate a reverse track. Moeller

discloses a system that is capable of transferring or playing a normal play stream at any

of various indicated positions or locations (col. 6, l. 45-49). The media server stores fast

forward and fast reverse streams in association with normal play streams (col. 4, l. 61-

65). The fast forward and fast reverse streams have different presentation rates than

the normal play stream and are generated from the normal play stream (col. 6, l. 51-59).

It would have been obvious to one of ordinary skill in the art at the time that the

invention was made to modify the step of storing in the combination of Safadi and Ellis

to include storing fast forward and fast reverse streams in association with a normal

play stream, such as that taught by Moeller in order to decrease latency time at a video

server.

Referring to claim **17**, the combination of Safadi and Ellis teaches the method of

claim 16. The combination of Safadi and Ellis does not specifically teach that the

processing comprises generating real-time encoded play tracks, fast-forward tracks,

rewind tracks, and entry point data (EPD) files associated with each track, said fast-

forward tracks and rewind tracks forming temporally adjusted content. Moeller

discloses generating fast forward and fast reverse video streams from a normal play

stream (col. 6, l. 55-59) and embedding indexing information within the streams to

provide for indexing between the streams (col. 9, l. 10-14 & col. 11, l. 39-41). It would

have been obvious to one of ordinary skill in the art at the time that the invention was

made to modify the processing step in the combination of Safadi and Ellis to include

generating fast forward and fast reverse video streams from a normal play stream and

embedding indexing information within the streams to provide for indexing between the

streams, such as that taught by Moeller in order to efficiently index to different positions

in a video stream in a video delivery system (col. 4, l. 20-23).

Referring to claim **18**, the combination of Safadi, Ellis, and Moeller teaches the

method of claim 17. The combination of Safadi, Ellis, and Moeller does not specifically

teach that the processing step further comprises:

- encoding said content identified in said title plan to form said temporally

adjusted content; and

- buffering said encoded content.

Moeller discloses generating compressed fast forward and fast reverse video streams

from a normal play stream (col. 6, l. 55-59). It would have been obvious to one of

ordinary skill in the art at the time that the invention was made to modify the processing

step of the combination of Safadi and Ellis to include generating compressed fast

forward and fast reverse video streams from a normal play stream, such as that taught

by Moeller in order to decrease latency time at a video server.

Referring to claim **19**, the combination of Safadi, Ellis, and Moeller teaches the

method of claim 18. The combination of Safadi, Ellis, and Moeller does not specifically

teach that the processing step further comprises:

- receiving packetized transport streams from at least one encoder; and

- inserting title identification codes (TICS) to each packet to enable said

transport streams to be identified as said real-time encoded play tracks,

fast-forward tracks, and rewind tracks.

Moeller discloses generating compressed fast forward and fast reverse video streams

from a normal play stream (col. 6, l. 56-59). Moeller further discloses that the encoded

stream includes sequence headers that include presentation timestamps and

information describing the frame rate and picture size (col. 9, l. 57-62). Moeller further

discloses embedding indexing information within the normal play stream and associated

trick play streams to provide for indexing between the streams (col. 9, l. 10-14). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the processing step of the combination of Safadi and Ellis to include embedding timestamps, frame rate information, and indexing information within play streams and trick play streams, such as that taught by Moeller in order to decrease latency time at a video server.

Referring to claims **20** and **21**, the combination of Safadi, Ellis, and Moeller teaches the method of claim 19. The combination of Safadi, Ellis, and Moeller does not specifically teach generating the EPD files as said fast-forward and rewind tracks are being created, where the EPD files provide transition between streaming of the Play, fast-forward and rewind tracks at appropriate points in response to user commands. Moeller discloses generating and embedding index information within normal play streams and associated trick play streams to provide for indexing between the streams (col. 9, l. 10-14). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the combination of Safadi, Ellis, and Moeller to include generating and embedding index information within normal play streams and associated trick play streams, such as that taught by Moeller in order to decrease latency time at a video server.

5.   Claims **22-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Safadi, Ellis and Moeller in view of Youden et al. (Youden) (5,606,359) (of record).

Referring to claim **22**, the combination of Safadi, Ellis, and Moeller teaches the method of claim 19, wherein the storing step comprises receiving buffered encoded content and storing the real-time play tracks in a plurality of extents (Safadi p. 6, paragraph 61). The combination of Safadi, Ellis, and Moeller does not specifically teach storing the fast-forward tracks in extents in a front to back order and storing rewind tracks in extents in a back to front order. Youden discloses storing selected video data for a FF version in the same order as the original video data is stored and storing the selected video data for the FR version in reverse order to the original version of the video data (col. 4, l. 3-7). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the storing step in the combination of Safadi, Ellis, and Moeller to include storing video data for a FF version in the same order as the original video data is stored and storing the selected video data for the FR version in reverse order to the original version of the video data, such as that taught by Youden in order to decrease latency time at a video server.

Referring to claim **23**, the combination of Safadi, Ellis, Moeller, and Youden teaches the method of claim 22, where said storing step further comprises storing selected content from a particular channel for a fixed window of time (Safadi p. 7, paragraph 73).

Referring to claim **24**, the combination of Safadi, Ellis Moeller, and Youden

teaches the method of claim 22, where said storing step further comprises storing

selected content from a plurality of channels (Safadi p. 4, paragraph 37).

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to JAMES R. SHELEHEDA whose telephone number is

(571)272-7357. The examiner can normally be reached on Monday - Friday, 9:00AM -

5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Pankaj Kumar can be reached on (571) 272-3011. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JAMES R SHELEHEDA/
Primary Examiner, Art Unit 2424

JS